# UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF FLORIDA

Case No.: 1:25-cv-20757-JB/Torres

JANE DOE,	
Plaintiff,	
v.	
STEVEN K. BONNELL II,	
Defendant.	

## PLAINTIFF'S RESPONSE TO DEFENDANT'S EVIDENTIARY OBJECTIONS TO DECLARATIONS SUBMITTED IN SUPPORT OF PRELIMINARY INJUNCTION [ECF No. 66]

Plaintiff, JANE DOE, by and through the undersigned counsel, respectfully submits her Response to Defendant's Evidentiary Objections to the Declarations Submitted in Support of Preliminary Injunction ("Objections") [ECF No.66]:

### I. <u>INTRODUCTION</u>

Defendant objects to material found in the Declarations of Jane Doe, Abbymc, Joan Schlump Peters, and Witness A and Witness B [ECF Nos. 49-1 through 49-5], submitted as exhibits to Plaintiff's Reply to Opposition to Motion for Preliminary Injunctions. [ECF No. 49]. Defendant's objections are without merit. There are also multiple objections which do not even indicate what the objection specifically applies to and are thus boilerplate objections. Below are Plaintiff's specific responses to each objection.

### II. LEGAL STANDARD

While in no way admitting that the evidence would be inadmissible, it is important to note that during the preliminary injunction stage "the evidentiary rules are relaxed and the Court is permitted to rely on evidence that might not be admissible for a permanent injunction, 'so long as the evidence is appropriate given the character and purpose of the injunction proceedings." *FTC v. Simple Health Plans LLC*, 379 F. Supp. 3d 1346, 1358 (S.D. Fla. 2019) (citing *Caron Found. of Fla., Inc. v. City of Delray Beach*, 879 F. Supp. 2d 1353, 1360 (S.D. Fla. 2012). In fact, the court "may consider otherwise inadmissible evidence at the preliminary injunction stage." *Gulf Coast Commer. Corp. v. Gordon River Hotel Assocs.*, No. 2:05-cv-564-FtM-33SPC, 2006 U.S. Dist. LEXIS 30492, at \*5 (M.D. Fla. May 18, 2006) (citing *Sierra Club v. Fed. Deposit Ins. Corp.*, 992 F.2d 545 (5th Cir. 1993) (stating that "at the preliminary injunction stage, the procedures in the district court are less formal, and the district court may rely on otherwise inadmissible evidence, including hearsay evidence.")

### A. DECLARATION OF JANE DOE [ECF No. 49-1]

	<b>Material</b>	<b>Grounds for</b>	Response:	Ruling on
	<b>Objected To:</b>	<b>Objection:</b>		<u>the</u>
				Objection:
1.	¶ 4 & Ex. A	Inadmissible	Hearsay. Fed. R. Evid. 106,	
	("He added me	hearsay. Fed. R.	801, 802, 803(3)	
	as a	Evid. 802;	This statement is not hearsay	
	friend first	Improper	because it is not being used to	
	Dan is claiming	authentication of	prove the truth of the matter	
	everyone was	Ex. A. <i>Id.</i> R.	asserted but merely to show that	
	sharing	901.	the Defendant misrepresented	
	pornographic		the statement by Plaintiff.	
	materials of		Additionally, even if it were	
	others in a		hearsay it would still be	
	nonconsensual		admissible because the	
	manner.")		Defendant has misrepresented	
			what this statement is, according	
			to Fed. R. Evid. 106, Plaintiff	
			may require the rest of the	

				· · · · · · · · · · · · · · · · · · ·
			conversation because in fairness	
			it ought to be considered at the	
			same time. Plaintiff can do so	
			over a hearsay objection.	
			Plaintiff has established a good	
			faith basis for these exhibits	
			being true and correct copies of	
			what they proport to be.	
			Additionally, these statements	
			could be used for the truth of the	
			matter asserted under FRE	
			803(3) because they go to the	
			Declarant's then-existing state of	
			mind.	
			Authentication. Fed. R. Evid.	
			901	
			Plaintiff has established a good	
			faith basis for these exhibits	
			being true and correct copies of	
			what they proport to be.	
2.	¶ 5 ("Destiny has	Declarant lacks	Personal Knowledge. Fed. R.	
	distorted	personal	Evid. 602	
	Destiny is well	knowledge. Fed. R.	It has been established that	
	aware who	Evid. 602.	Plaintiff's personal knowledge is	
	had		based on her own	
	given me		communications with Destiny,	
	consent to		which are admissions by a party	
	share.")		opponent.	
3.	¶ 6 ("The	Lacks foundation.	Personal Knowledge. Fed. R.	
	referenced	Fed. R.	Evid. 602	
	Exhibit has	Evid. 602.; Lacks	It has been established that	
	only	relevance.	Plaintiff has personal knowledge	
	compounded the	<i>Id.</i> R. 402.	of her receipt of the videos of	
	pain and		Melina, the filming of the	
	emotional		Videos <sup>1</sup> , and her own "pain and	
	distress that he		emotional distress".	
	has already		Accordingly, there is an	
	caused me.")		adequate foundation.	
			Relevance. Fed. R. Evid. 401,	
			402	
			These statements are relevant	
			because they are responding to	
			Defendant's assertions, and	
			because they go directly to	

<sup>&</sup>lt;sup>1</sup> All capitalized terms not herein defined shall have the meaning ascribed to them in the Complaint [ECF No. 1].

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			damages and to the on-going	
			emotional distress the defendant	
			has caused. Fed. R. Evid. 401	
4.	¶ 7 ("This is extremely misleading he knew I had not had, and did not have, 'other sex partners,' but rather just my former boyfriend.")	Declarant lacks personal knowledge and foundation. Fed. R. Evid. 602.	Personal Knowledge. Fed. R. Evid. 602 It has been established that Plaintiff has personal knowledge of her communications with Destiny, and has laid that foundation. Statements made by Defendant are admissions by a party opponent.	
5.	¶ 8 & Exs. B-C ("Moreover, on February 26th 2020, I explicitly told him Additionally, on March 5th, 2024 I asked Destiny if he told her, or anyone, about us being together. He denied it. He deleted his side of the messages, but here is mine.")	Inadmissible hearsay. Fed. R. Evid. 802. Declarant lacks personal knowledge. Id. R. 602; Improper authentication of Exs. B-C. Id. R. 901.	Hearsay. Fed. R. Evid. 801,802, 803(3)  This statement is not hearsay because it is not being offered to prove the truth of the matter asserted but to show that Defendant had notice of Plaintiff's wish to keep the nature of their relationship private. Defendant's admissions are not hearsay pursuant to Fed. R. Evid. 801(d)(2)(A) as they are admissions by a party opponent. Additionally, these statements could be used for the truth of the matter asserted because Ms. Doe's impression goes to her then-existing state of mind under Fed. R. Evid. 803(3).  Personal Knowledge. Fed. R. Evid. 602  It has been established that Plaintiff has personal knowledge based on her relationship with and communications with Destiny.  Authentication. Fed. R. Evid. 901  Plaintiff has established a good faith basis for these exhibits	

			being true and correct copies of	
			what they proport to be.	
6.	¶ 10 & Ex. D	Inadmissible	Hearsay. Fed. R. Evid. 801,802,	
0.	("Defendant	hearsay. Fed. R.	803(3)	
	admits he sent	Evid. 802. Lacks	As to Defendant's admissions,	
	the video of me	foundation	they are not hearsay under Fed.	
	to a random fan.	and declarant lacks	1 -	
			R. Evid. 801(d)(2).	
	he allegedly	personal	Exhibit D is not being used to	
	never told her	knowledge. Id. R.	prove the truth of the matter	
	my	602.	asserted but merely to show that	
	name.")	Improper	Plaintiff was in fact identifiable	
		authentication of	in this video that the Defendant	
		Ex.	shared without her consent.	
		D. <i>Id.</i> R. 901.	Additionally, these statements	
			could be used for the truth of the	
			matter asserted because Ms.	
			Doe's impression goes to her	
			then-existing state of mind under	
			Fed. R. Evid. 803(3).	
			Personal Knowledge. Fed. R. Evid. 602	
			It has been established that	
			Plaintiff has personal knowledge	
			of these events based on her	
			relationship with and	
			communications with Destiny.	
			Authentication. Fed. R. Evid.	
			901	
			Plaintiff has established a good	
			faith basis for these exhibits	
			being true and correct copies of	
			what they proport to be.	
7.	¶ 91 ("Defendant	Inadmissible	Hearsay. Fed. R. Evid. 801, 802	
	claims that his	hearsay. Fed. R.	Defendant's admissions are not	
	transmission of	Evid. 802. Lacks	hearsay pursuant to Fed. R. Evid.	
	the video	foundation	801(d)(2)(A) as they are	
	Sending media	and declarant lacks		
	via Discord	personal	1	
	creates a media	1	Evid. 602	
	link that can be	602.	It has been established that	
	shared with	Improper lay	Plaintiff has personal knowledge	
	anyone who has	opinion. <i>Id</i> . R.	of these events based on her	
	a	701.	relationship with and	
	Discord		communications with Destiny.	
	account."		Lay Opinion Fed. R. Evid. 701	
	via Discord creates a media link that can be shared with anyone who has a Discord	personal knowledge. <i>Id.</i> R. 602. Improper lay opinion. <i>Id.</i> R.	It has been established that Plaintiff has personal knowledge of these events based on her relationship with and communications with Destiny.	

8.	¶ 10 ("This	Lacks foundation	This is a proper opinion based on Plaintiff's familiarity as a streamer and user of Discord, without discussing the technical aspects which would fall under 702.  Personal Knowledge. Fed. R.	
6.	means Rose This is different from sending a video through text messages sharing the files with others.")	and declarant lacks personal knowledge. Fed. R. Evid. 602. Improper lay opinion. <i>Id.</i> R. 701.	Evid. 602 It has been established that Plaintiff has personal knowledge of these events based on her relationship with and communications with Destiny. Lay Opinion Fed. R. Evid. 701 This is a proper opinion based on Plaintiff's familiarity as a streamer and user of Discord, without discussing the technical aspects which would fall under 702.	
9.	¶ 11 ("This means that when [D]estiny sent that video to [R]ose Destiny knows this is how [D]iscord functions")	Lacks foundation and declarant lacks personal knowledge. Fed. R. Evid. 602. Improper lay opinion. <i>Id.</i> R. 701. Improper authentication of hyperlink. <i>Id.</i> R. 901.	Personal Knowledge. Fed. R. Evid. 602  It has been established that Plaintiff has personal knowledge of these events based on her relationship with and communications with Destiny. Lay Opinion Fed. R. Evid. 701  This is a proper opinion based on Plaintiff's familiarity as a streamer and user of Discord, without discussing scientific, technical or specialized knowledge which would fall under R. 702. Authentication. Fed. R. Evid. 901  Plaintiff has established a good faith basis for these exhibits being true and correct copies of what they proport to be.	
10.	¶ 12 ("Defendant falsely claims when we know it was at least	Inadmissible hearsay. Fed. R. Evid. 802. Lacks foundation	Hearsay. Fed. R. Evid. 801,802, 803(3) This is not hearsay pursuant to Fed. R. Evid. 801(d)(2)(A) as it	

	claim that he will not share the video again also has no credibility ")	and declarant lacks personal knowledge. <i>Id.</i> R. 602. Improper lay opinion. <i>Id.</i> R. 701.	is a admission by a party opponent. Additionally, Ms. Doe's statements fall under an applicable hearsay exception 803(3) because the statements go to her then existing state of mind which goes directly to proving irreparable harm.  Personal Knowledge. Fed. R. Evid. 602  It has been established that Plaintiff has personal knowledge of these events based on her relationship with and communications with Destiny.  Lay Opinion Fed. R. Evid. 701  This is a proper opinion based on Plaintiff's familiarity as a streamer and user of Discord, without discussing scientific, technical or specialized knowledge which would fall under R. 702.	
11.	¶ 13 & Ex. E ("False- I have never claimed that 15 potential witnesses told me they received the video of meDestiny responds with 'I'D PROBABLY JUST TELL HER TO GO TO [Kiwi Farms] LOL.")	Inadmissible hearsay. Fed. R. Evid. 802. Lacks foundation and declarant lacks personal knowledge. <i>Id.</i> R. 602. Improper authentication of Ex. E. <i>Id.</i> R. 901.	Hearsay. Fed. R. Evid. 801,802, This is not hearsay pursuant to Fed. R. Evid. 801(d)(2)(A) as it is an admission by a party opponent. Personal Knowledge. Fed. R. Evid. 602 It has been established that Plaintiff has personal knowledge of these events based on her relationship with and communications with Destiny. Authentication. Fed. R. Evid. 901 Plaintiff has established a good faith basis for these exhibits being true and correct copies of what they proport to be.	
12.	¶ 14 ("My face is clearly visible.")	Lacks foundation and declarant	Personal Knowledge. Fed. R. Evid. 602	

		lacks personal knowledge. Fed. R. Evid. 602. Improper lay opinion. <i>Id.</i> R. 701.	It has been established that Plaintiff has personal knowledge of these events based on her relationship with and communications with Destiny.  Lay Opinion Fed. R. Evid. 701 This is a proper opinion based on Plaintiff's direct, personal observations.	
13.	¶ 172 & Ex. F ("This is FALSE. Bonnell knows I was desperately trying to get the video removed.")	Lacks foundation and declarant lacks personal knowledge. Fed. R. Evid. 602. Improper lay opinion. <i>Id.</i> R. 701. Improper authentication of Ex. F. <i>Id.</i> R. 901.	Personal Knowledge. Fed. R. Evid. 602  It has been established that Plaintiff has personal knowledge of these events based on her relationship with the Defendant and her conversations with the Defendant.  Lay Opinion Fed. R. Evid. 701  This is a proper opinion rationally based on Plaintiff's perception.  Authentication. Fed. R. Evid. 901  Plaintiff has established a good faith basis for these exhibits being true and correct copies of what they proport to be.	
14.	¶ 18 ("First, my settlement demand should have remained confidential but apparently nothing is confidential or private for Destiny I was told that a settlement offer was contingent on me helping rebuild Destiny's image.")	Inadmissible hearsay. Fed. R. Evid. 802. Lacks foundation and declarant lacks personal knowledge. <i>Id.</i> R. 602. Improper lay opinion. <i>Id.</i> R. 701.	Hearsay. Fed. R. Evid. 801,802, 803(3)  This is not hearsay pursuant to Fed. R. Evid. 801(d)(2)(A) as it is an admission by a party opponent.  Additionally, these statements fall under an applicable hearsay exception Fed. R. Evid. 803(3) because the statements go to her then existing state of mind which goes directly to proving irreparable harm.  Personal Knowledge. Fed. R. Evid. 602  It has been established that Plaintiff has personal knowledge of these events based on her	

			1 / 1 / 1	1
			relationship with and	
			communications with Destiny.	
			Lay Opinion Fed. R. Evid. 701	
			This is a proper opinion based on	
			Plaintiff's rational perceptions of	
			the situation where she does not	
			use any scientific, technical or	
			specialized knowledge which	
			would fall under 702.	
15.	¶ 19 & Ex. G	Lacks foundation	Personal Knowledge. Fed. R.	
	"Destiny's	and declarant	Evid. 602	
	claims that he	lacks personal	It has been established that	
	has preserved	knowledge. Fed.	Plaintiff has personal knowledge	
	evidence are	R. Evid. 602.	of these events based on her	
	very suspect. In	Improper lay	relationship with and	
	addition to	opinion. <i>Id.</i> R. 701.	communications with Destiny.	
	[D]iscord logs	Improper	Lay Opinion Fed. R. Evid. 701	
	being deleted	authentication of	This is a proper opinion based on	
	. they were from	Ex. G. Id. R.	Plaintiff's rational perceptions of	
	Destiny's	901.	the situation where she does not	
	[G]oogle [D]rive	J01.	use any scientific, technical or	
	that he		specialized knowledge which	
	shared with		would fall under 702.	
	Rose.")		Authentication. Fed. R. Evid.	
	Rosc. )		901	
			Plaintiff has established a good	
			faith basis for these exhibits	
			being true and correct copies of	
			what they proport to be.	
16.	¶ 20 & Ex. H	Lacks foundation	Personal Knowledge. Fed. R.	
10.	("Unlike Destiny	and declarant	Evid. 602	
	who directly told	lacks personal	It has been established that	
	over 1 million	knowledge. Fed.	Plaintiff has personal knowledge	
	people what	R. Evid. 602.	-	
	website to	Improper lay	based on her relationship with and communications with	
	search If a	opinion. <i>Id.</i> R. 701.	Destiny.	
	person read my	Improper	Lay Opinion Fed. R. Evid. 701	
	[S]ubstack	authentication of	· -	
		Ex. H. <i>Id</i> . R.	This is a proper opinion based on	
	they would not know kiwi farms	901.	Plaintiff's rational perceptions of the situation where she does not	
		701.		
	was hosting the		use any scientific, technical or	
	leaked content.")		specialized knowledge which would fall under 702.	
			Authentication. Fed. R. Evid.	
			901	

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21 & Ex. I		S	
Moreover, the			
ost damage	lacks personal	It has been established that	
as done after	knowledge. Fed.	Plaintiff has personal knowledge	
ne initial leaks	R. Evid. 602.	based on her relationship with	
rere posted	Improper lay	and communications with	
here is no	opinion. <i>Id.</i> R. 701.	Destiny.	
vidence	Improper	Lay Opinion Fed. R. Evid. 701	
dicating the	authentication of	This is a proper opinion based on	
ebsite crashed	Ex. I. <i>Id</i> . R.	Plaintiff's rational perceptions of	
fter I posted my	901.	the situation where she does not	
S]ubstack,		use any scientific, technical or	
or anything of		specialized knowledge which	
ne sort.")		would fall under 702.	
		Authentication. Fed. R. Evid.	
		901	
		Plaintiff has established a good	
		faith basis for these exhibits	
		being true and correct copies of	
		what they proport to be.	
273 & Ex. J	Inadmissible	Hearsay. Fed. R. Evid. 801,802,	
When the	hearsay. Fed. R.	803(3)	
nitial leaks were	Evid. 802. Lacks	Exhibit J is not being used to	
osted	foundation	prove the truth of the matter	
izeable content	and declarant lacks	asserted but merely to show that	
reators were	personal	Plaintiff was in fact identified in	
aking public	knowledge. Id. R.	this video that the Defendant	
emarks	602.	shared without her consent and	
lentifying me in	Improper lay	that she was being threatened	
ne	opinion. Id. R.	after the video was leaked.	
ideo.")	701. Improper	Additionally, these statements	
	authentication	fall under an applicable hearsay	
	of Ex. J. Id. R.	exception Fed. R. Evid. 803(3)	
	901.	because the statements go to her	
		then existing state of mind which	
		goes directly to proving	
		irreparable harm.	
		-	
		rersonai Knowieuge, reu. K.	I
		Evid. 602	
		_	
		<b>Evid. 602</b>	
	Moreover, the ost damage as done after e initial leaks ere posted here is no idence dicating the ebsite crashed ter I posted my lubstack, or anything of e sort.")  273 & Ex. J When the itial leaks were osted zeable content eators were aking public marks entifying me in ee	Moreover, the ost damage as done after e initial leaks ere posted	Moreover, the ost damage as done after e initial leaks are posted

19.	¶ 28 ("Finally, I was forced to go public These videos were gaining tens of thousands of views I also had no choice but to start a fundraising campaign")	Lacks foundation and declarant lacks personal knowledge. Fed. R. Evid. 602. Improper lay opinion. <i>Id.</i> R. 701. Improper authentication of hyperlink. <i>Id.</i> R. 901.	relationship with and communications with Destiny.  Lay Opinion Fed. R. Evid. 701  This is a proper opinion based on Plaintiff's rational perceptions of the situation where she does not use any scientific, technical or specialized knowledge which would fall under 702.  Authentication. Fed. R. Evid. 901  Plaintiff has established a good faith basis for these exhibits being true and correct copies of what they proport to be.  Personal Knowledge. Fed. R. Evid. 602  It has been established that Plaintiff has personal knowledge of these events based on her relationship with and communications with Destiny. These statements go directly to Ms. Doe's state of mind and proving irreparable harm.  Lay Opinion Fed. R. Evid. 701  This is a proper opinion based on Plaintiff's rational perceptions of the situation where she does not use any scientific, technical or specialized knowledge which would fall under 702.  Authentication. Fed. R. Evid. 901  Plaintiff has established a good faith basis for these exhibits being true and correct copies of what they proport to be.	
20.	¶ 29 ("I believe	Lacks foundation and declarant	Personal Knowledge. Fed. R. Evid. 602	
	he has actively profited from	lacks personal	It has been established that	
	this legal case	knowledge. Fed.	Plaintiff has personal knowledge	
	because	R. Evid. 602.	of these events based on her	
	1	Improper lay	relationship with and	
1	he uses it as	improper iay	relationship with and	ļ
	content on his	opinion. <i>Id</i> . R. 701.	communications with Destiny.	

	platform")	authentication of hyperlink. <i>Id</i> . R. 901.	This is a proper opinion based on Plaintiff's rational perceptions of the situation where she does not use any scientific, technical or specialized knowledge which would fall under 702.  Authentication. Fed. R. Evid.  901  Plaintiff has established a good faith basis for these exhibits being true and correct copies of what they proport to be.	
21.	¶ 30 ("Destiny also knows that leaking nudes or private sexual DMs is He also believes Despite knowing this he still chose to send my video to other people")	Lacks foundation and declarant lacks personal knowledge. Fed. R. Evid. 602. Improper lay opinion. <i>Id.</i> R. 701. Improper authentication of hyperlink. <i>Id.</i> R. 901	Personal Knowledge. Fed. R. Evid. 602  It has been established that Plaintiff has personal knowledge of these events based on her relationship with and communications with Destiny. Lay Opinion Fed. R. Evid. 701  This is a proper opinion based on Plaintiff's rational perceptions of the situation where she does not use any scientific, technical or specialized knowledge which would fall under 702.  Authentication. Fed. R. Evid. 901  Plaintiff has established a good faith basis for these exhibits being true and correct copies of what they proport to be.	
22.	¶ 31 ("I believe that Destiny's repeated behavior is inherently a malicious act in itself.")	Lacks foundation and declarant lacks personal knowledge. Fed. R. Evid. 602. Improper lay opinion. <i>Id.</i> R. 701. Improper authentication of hyperlink. <i>Id.</i> R. 901.	Personal Knowledge. Fed. R. Evid. 602 It has been established that Plaintiff has personal knowledge of these events based on her relationship with and communications with Destiny. These statements go directly to Ms. Doe's state of mind and proving irreparable harm. Lay Opinion Fed. R. Evid. 701 This is a proper opinion based on Plaintiff's rational perceptions of the situation where she does not	

i			use any scientific, technical or	
			specialized knowledge which	
			would fall under 702.	
			Authentication. Fed. R. Evid.	
			901	
			Plaintiff has established a good	
			faith basis for these exhibits	
			being true and correct copies of	
			what they proport to be.	
23.	¶ 32 ("Since the	Lacks foundation.	Personal Knowledge. Fed. R.	
	events of	Fed. R.	Evid. 602	
	November	Evid. 602.	It has been established that	
	29th 2024, I	21141 0021	Plaintiff has personal knowledge	
	have been in a		of these events based on her	
	continuous state		relationship with and	
	of grief")		communications with Defendant,	
	or girer <i>)</i>		and her own mental health and	
			that she has suffered immensely	
			as a result of Defendant's	
			actions. These statements go	
			directly to Ms. Doe's state of	
			mind and proving irreparable	
2.4		· 1 0 1 1	harm.	
24.	¶ 33 ("I do not	Lacks foundation.	Personal Knowledge. Fed. R.	
]	versage to leves are a			
	want to live in a	Fed. R.	Evid. 602	
	world where	Evid. 602. Lacks	It has been established that	
	world where people like	Evid. 602. Lacks relevance. <i>Id</i> .	It has been established that Plaintiff has personal knowledge	
	world where people like Destiny are able	Evid. 602. Lacks	It has been established that Plaintiff has personal knowledge of these events as the victim of	
	world where people like Destiny are able to harm others	Evid. 602. Lacks relevance. <i>Id</i> .	It has been established that Plaintiff has personal knowledge of these events as the victim of the Defendant's actions and of	
	world where people like Destiny are able	Evid. 602. Lacks relevance. <i>Id</i> .	It has been established that Plaintiff has personal knowledge of these events as the victim of the Defendant's actions and of her own mental health and that	
	world where people like Destiny are able to harm others	Evid. 602. Lacks relevance. <i>Id</i> .	It has been established that Plaintiff has personal knowledge of these events as the victim of the Defendant's actions and of her own mental health and that she has suffered immensely as a	
	world where people like Destiny are able to harm others free of	Evid. 602. Lacks relevance. <i>Id</i> .	It has been established that Plaintiff has personal knowledge of these events as the victim of the Defendant's actions and of her own mental health and that	
	world where people like Destiny are able to harm others free of	Evid. 602. Lacks relevance. <i>Id</i> .	It has been established that Plaintiff has personal knowledge of these events as the victim of the Defendant's actions and of her own mental health and that she has suffered immensely as a	
	world where people like Destiny are able to harm others free of	Evid. 602. Lacks relevance. <i>Id</i> .	It has been established that Plaintiff has personal knowledge of these events as the victim of the Defendant's actions and of her own mental health and that she has suffered immensely as a result of Defendant's actions.	
	world where people like Destiny are able to harm others free of	Evid. 602. Lacks relevance. <i>Id</i> .	It has been established that Plaintiff has personal knowledge of these events as the victim of the Defendant's actions and of her own mental health and that she has suffered immensely as a result of Defendant's actions. These statements go directly to	
	world where people like Destiny are able to harm others free of	Evid. 602. Lacks relevance. <i>Id</i> .	It has been established that Plaintiff has personal knowledge of these events as the victim of the Defendant's actions and of her own mental health and that she has suffered immensely as a result of Defendant's actions. These statements go directly to Ms. Doe's state of mind and	
	world where people like Destiny are able to harm others free of	Evid. 602. Lacks relevance. <i>Id</i> .	It has been established that Plaintiff has personal knowledge of these events as the victim of the Defendant's actions and of her own mental health and that she has suffered immensely as a result of Defendant's actions. These statements go directly to Ms. Doe's state of mind and proving irreparable harm.	
	world where people like Destiny are able to harm others free of	Evid. 602. Lacks relevance. <i>Id</i> .	It has been established that Plaintiff has personal knowledge of these events as the victim of the Defendant's actions and of her own mental health and that she has suffered immensely as a result of Defendant's actions. These statements go directly to Ms. Doe's state of mind and proving irreparable harm.  Relevance. Fed. R. Evid. 401,	
	world where people like Destiny are able to harm others free of	Evid. 602. Lacks relevance. <i>Id</i> .	It has been established that Plaintiff has personal knowledge of these events as the victim of the Defendant's actions and of her own mental health and that she has suffered immensely as a result of Defendant's actions. These statements go directly to Ms. Doe's state of mind and proving irreparable harm.  Relevance. Fed. R. Evid. 401, 402	
	world where people like Destiny are able to harm others free of	Evid. 602. Lacks relevance. <i>Id</i> .	It has been established that Plaintiff has personal knowledge of these events as the victim of the Defendant's actions and of her own mental health and that she has suffered immensely as a result of Defendant's actions. These statements go directly to Ms. Doe's state of mind and proving irreparable harm.  Relevance. Fed. R. Evid. 401, 402  It goes directly to damages and	
	world where people like Destiny are able to harm others free of	Evid. 602. Lacks relevance. <i>Id</i> .	It has been established that Plaintiff has personal knowledge of these events as the victim of the Defendant's actions and of her own mental health and that she has suffered immensely as a result of Defendant's actions. These statements go directly to Ms. Doe's state of mind and proving irreparable harm. Relevance. Fed. R. Evid. 401, 402 It goes directly to damages and to the on-going emotional	
25.	world where people like Destiny are able to harm others free of consequence.")	Evid. 602. Lacks relevance. <i>Id</i> .	It has been established that Plaintiff has personal knowledge of these events as the victim of the Defendant's actions and of her own mental health and that she has suffered immensely as a result of Defendant's actions. These statements go directly to Ms. Doe's state of mind and proving irreparable harm. Relevance. Fed. R. Evid. 401, 402 It goes directly to damages and to the on-going emotional distress the defendant has caused Plaintiff. Fed. R. Evid. 401	
25.	world where people like Destiny are able to harm others free of	Evid. 602. Lacks relevance. <i>Id</i> . R. 402.	It has been established that Plaintiff has personal knowledge of these events as the victim of the Defendant's actions and of her own mental health and that she has suffered immensely as a result of Defendant's actions. These statements go directly to Ms. Doe's state of mind and proving irreparable harm. Relevance. Fed. R. Evid. 401, 402 It goes directly to damages and to the on-going emotional distress the defendant has caused	
25.	world where people like Destiny are able to harm others free of consequence.")  ¶ 34 ("I have seen how	Evid. 602. Lacks relevance. <i>Id</i> . R. 402.  Lacks foundation and declarant	It has been established that Plaintiff has personal knowledge of these events as the victim of the Defendant's actions and of her own mental health and that she has suffered immensely as a result of Defendant's actions. These statements go directly to Ms. Doe's state of mind and proving irreparable harm. Relevance. Fed. R. Evid. 401, 402 It goes directly to damages and to the on-going emotional distress the defendant has caused Plaintiff. Fed. R. Evid. 401  Personal Knowledge. Fed. R. Evid. 602	
25.	world where people like Destiny are able to harm others free of consequence.")	Evid. 602. Lacks relevance. <i>Id</i> . R. 402.	It has been established that Plaintiff has personal knowledge of these events as the victim of the Defendant's actions and of her own mental health and that she has suffered immensely as a result of Defendant's actions. These statements go directly to Ms. Doe's state of mind and proving irreparable harm. Relevance. Fed. R. Evid. 401, 402 It goes directly to damages and to the on-going emotional distress the defendant has caused Plaintiff. Fed. R. Evid. 401 Personal Knowledge. Fed. R.	
25.	world where people like Destiny are able to harm others free of consequence.")  ¶ 34 ("I have seen how Destiny has used	Evid. 602. Lacks relevance. <i>Id</i> . R. 402.  Lacks foundation and declarant lacks personal	It has been established that Plaintiff has personal knowledge of these events as the victim of the Defendant's actions and of her own mental health and that she has suffered immensely as a result of Defendant's actions. These statements go directly to Ms. Doe's state of mind and proving irreparable harm. Relevance. Fed. R. Evid. 401, 402 It goes directly to damages and to the on-going emotional distress the defendant has caused Plaintiff. Fed. R. Evid. 401  Personal Knowledge. Fed. R. Evid. 602 It has been established that	

	threaten others He has posted this information in his online chat, with seemingly no remorse.")	R. Evid. 602. Improper lay opinion. <i>Id.</i> R. 701.	the Defendant's actions. These statements go directly to Ms. Doe's state of mind and proving irreparable harm.  Lay Opinion Fed. R. Evid. 701 This is a proper opinion based on Plaintiff's rational perceptions of the situation where she does not use any scientific, technical or specialized knowledge which would fall under 702.	
26.	¶ 35 & Ex. K ("I also fear that Destiny wants to use his community to harm me. He continues to profit off my painI know he wishes harm upon me for speaking the truth.")	Lacks foundation and declarant lacks personal knowledge. Fed. R. Evid. 602. Improper lay opinion. <i>Id.</i> R. 701. Improper authentication of Ex. K. <i>Id.</i> R. 901.	Personal Knowledge. Fed. R. Evid. 602  It has been established that Plaintiff has personal knowledge of these events based on her relationship with and communications with Destiny and as the victim of the Defendant's actions. These statements go directly to Ms. Doe's state of mind and proving irreparable harm.  Lay Opinion Fed. R. Evid. 701 This is a proper opinion based on Plaintiff's rational perceptions of the situation where she does not use any scientific, technical or specialized knowledge which would fall under 702.  Authentication. Fed. R. Evid. 901  Plaintiff has established a good faith basis for these exhibits being true and correct copies of what they proport to be.	

## B. <u>DECLARATION OF ABBYMC [ECF No. 49-2]</u>

	Material Objected To:	Grounds for Objection:	Response:	Ruling on the Objection:
27.	The entire	S.D. Fla. L.R.	The declaration is proper because	
	declaration is	5.4(f)(1)(A)	Plaintiff "elected" to submit it in	
	improper as	("A	redacted form pursuant to Local	
			Rule 5.4(b)(1), and thus Rule	

	it was filed and	filer filing a	5.4(f)(1)(A) is not applicable.	
	provided to	redacted exhibit	See also Plaintiff's Motion For	
	counsel	must	Leave to File Declarations Under	
	only in redacted	contemporaneously	Seal (ECF No. 48); Plaintiff's	
	form without			
		serve	Notice Submitting Amended	
	indicating the	a version of the	Certificate of Conferral for	
	identity of the	exhibit upon	Dockets No. 44, 48 [ECF No.	
	declarant.	all counsel that	65].	
		is either		
		unredacted or that		
		contains		
		only those		
		redactions		
		authorized in		
		connection with		
		producing a		
		document to		
		another party in		
		discovery.")		
28.	¶ 6 ("On or	Lacks foundation	Personal Knowledge. Fed. R.	
	about November	and declarant	Evid. 602	
	3,	lacks personal	It has been established that	
	2023, Destiny	knowledge. Fed.	Abbymc has personal knowledge	
	shared through a	R. Evid. 602.	of these events, based on her	
	Google drive	Lacks relevance.	direct communications with	
	link a sexually	<i>Id.</i> R. 402.	Defendant in which he shared the	
	explicit	Declarant is	video with her (Defendant's	
	video that	referring to	messages are admissions by a	
	included himself	unrelated and	party opponent) and her	
	and another	irrelevant videos,	relationship with Defendant.	
	streamer, Pixie	which do not	Relevance. Fed. R. Evid. 401,	
	[sic] (the	feature Plaintiff.	402	
	Plaintiff in this	Declarant	Abbymc is referring to the Video	
	action.").	fails to provide	at the center of this cause of	
		evidence that	action. This is of critical	
		the Video of	relevance since it goes to prove	
		Plaintiff was ever	that Defendant did in fact share	
		shared with her.	the Video of Plaintiff with	
			Abbymc and the declaration	
			itself is evidence of that, as	
			Abbymc stated she is willing to	
20	47.W0	T 1 0 1 1	testify to that.	
29.	¶ 7 ("On or	Lacks foundation.	Personal Knowledge. Fed. R.	
	about November	Fed. R.	Evid. 602	
	3,	Evid. 602. Lacks	It has been established that	
		relevance. <i>Id</i> .	Abbymc has personal knowledge	

	2023, I	R. 402. Declarant	of these events, based on her	
	messaged a	is referring	direct communications with	
	friend of mine	to unrelated and	Defendant in which he shared the	
	and told him that	irrelevant	Video, and other videos, with	
	Destiny had sent	videos, which do	her, and her relationship with	
	me the above	not feature	Defendant.	
	mentioned	Plaintiff. Declarant	Relevance. Fed. R. Evid. 401,	
	sexually	fails to	402	
	explicit video of	provide evidence	Here Abbymc is referring to the	
	himself and	that the	Video at the center of this cause	
	another	Video of Plaintiff	of action. This is of critical	
	womanI also	was ever	relevance since it goes to prove	
	told my friend	shared with her.	that Defendant did in fact share	
	that Destiny had		the Video of Plaintiff with	
	sent me another		Abbymc and the declaration	
	video of him and		itself is evidence of that, as	
	another woman.		Abbymc stated she is willing to	
	")		testify to that. Abbymc also	
	,		mentions another video to	
			provide the full context of the	
			conversation. The sharing of this	
			other video is also relevant	
			because it goes to show that it is	
			more likely than not that the	
			Defendant shared the Video of	
			Plaintiff because this is his	
			pattern of behavior. FRE 404(b).	
			It also shows lack of accident or	
			mistake by Defendant with	
			regards to sharing videos of this	
			nature without consent. Id.	
30.	¶ 8	Lacks foundation.	Personal Knowledge. Fed. R.	
	("Throughout	Fed. R.	Evid. 602	
	my relationship	Evid. 602. Lacks	It has been established that	
	with Destiny, he	relevance. <i>Id</i> .	Abbymc has personal knowledge	
	repeatedly	R. 402. Declarant	of these events, based on her	
	shared	is referring	direct communications with	
	with me sexually	to unrelated and	Defendant in which he shared the	
	explicit videos	irrelevant	Video, and other videos, with	
	of himself and	videos, which do	her, and her relationship with	
	other women	not feature	Defendant. Based on admissions	
	. I know [sic]	Plaintiff. Declarant	by party opponent.	
	realize that these	fails to provide	Relevance. Fed. R. Evid. 401,	
	women	evidence that the	The Defendant sharing these	
	most likely	Video of Plaintiff	The Defendant sharing these	
	never consented	was ever shared	videos with Abbymc is relevant	

		T	T	<u> </u>
	to having their	with her. Improper	because it goes to show that it is	
	private videos	lay	more likely than not that the	
	shared.")	opinion. <i>Id.</i> R. 701.	Defendant shared the Video of	
	,	1	Plaintiff because this is his	
			pattern of behavior. FRE 404(b).	
			* /	
			It also shows lack of accident,	
			common scheme/plan and	
			absence of mistake by Defendant	
			with regards to sharing videos of	
			this nature without consent. Id.	
			Additionally, it goes further in	
			showing the defendant's usage of	
			Google Drive links for sharing	
			videos and images of a sexually	
			explicit nature.	
			Lay Opinion Fed. R. Evid. 701	
			This is a proper opinion made	
			from what Abbyme rationally	
			perceived of the situation where	
			she does not use any scientific,	
			technical or specialized	
			knowledge which would fall	
			under 702 but merely provides	
			information that is helpful in	
			determining the material issues	
			_	
2.1	<b>T 10</b> (( <b>T 1</b>	T 1 C 1	in this case.	
31.	¶ 10 ("I have	Lacks foundation.	Personal Knowledge. Fed. R.	
	recently	Fed. R.	Evid. 602	
	discovered	Evid. 602. Lacks	It has been established that	
	that Destiny	relevance. <i>Id</i> .	Abbymc has personal knowledge	
	shared sexually	R. 402. Declarant	of these events, of the	
	explicit videos	is referring	communications she had with	
	of himself and	to unrelated and	Defendant (admissions of party	
	me, with other	irrelevant	opponent) in which he shared the	
	people without	videos, which do	Video and other videos with her,	
	my consent, just	not feature	and her identification of the	
	like he did to	Plaintiff. Declarant	videos of herself that he non-	
	Pxie and these	fails to	consensually shared.	
	other	provide evidence	Relevance. Fed. R. Evid. 401,	
	women.")	that the	402	
		Video of Plaintiff	This is relevant because it goes	
		was ever	to support the need for Abbymc's	
		shared with her.	identity being filed under seal	
		Improper lay	since Abbymc is another victim	
		opinion. <i>Id.</i> R. 701.	of the Defendant. Defendant's	
		r	non-consensual sharing of these	
			non consensual sharing of these	

videog of himself and Abbyma is
videos of himself and Abbymc is
relevant because it goes to show
that it is more likely than not that
the Defendant shared the Video
of Plaintiff because this is his
pattern of behavior. FRE 404(b).
It also shows lack of accident,
common scheme/plan and
absence of mistake by Defendant
with regards to sharing videos of
this nature without consent. Id.
Lay Opinion Fed. R. Evid. 701
This is a proper opinion made
from what this witness rationally
perceived of the situation where
she does not use any scientific,
technical or specialized
knowledge which would fall
under 702 but merely provides
information that is helpful in
determining the material issues
in this case.

## C. <u>DECLARATION OF JOAN SCHLUMP PETERS [ECF No. 49-3]</u>

	Material Objected To:	Grounds for Objection:	Response:	Ruling on the Objection:
32.	¶ 3 ("This portrayal of our meet and confer is not accurate."	Lacks foundation. Fed. R. Evid. 602.	Personal Knowledge. Fed. R. Evid. 602 It has been established that Ms. Schlump Peters participated in the meet and confer and thus has personal knowledge of these events.	
33.	¶ 5 ("These are two completely different methods of preserving evidence with very different results.").	Lacks foundation. Fed. R. Evid. 602. Improper lay opinion. <i>Id.</i> R. 701.	Personal Knowledge. Fed. R. Evid. 602  It has been established that Ms. Schlump Peters participated in the meet and confer and thus has personal knowledge of these events.  Lay Opinion Fed. R. Evid. 701  This is a proper opinion made from what Ms. Schlump Peters	

34.	¶ 6 ("These sites	Lacks foundation.	rationally perceived of the situation where she does not use any scientific, technical or specialized knowledge which would fall under 702 but merely provides information that is helpful in determining the material issues in this case.  Personal Knowledge. Fed. R.	
	are resistant to	Fed. R.	Evid. 602	
	removing content and	Evid. 602. Lacks relevance. <i>Id</i> .	The foundation was established by the efforts made by Ms.	
	often will	R. 402.	Schlump Peters to have the	
	only do so	102.	content removed.	
	pursuant to a		Relevance. Fed. R. Evid. 401,	
	Court		402	
	order.")		This is relevant as it goes directly	
			to the need for a Court order as	
			requested in Plaintiff's Motion	
			for a Preliminary Injunction.	

## D. <u>DECLARATION OF WITNESS A [ECF No. 49-4]</u>

<u>Material</u>	Grounds for	Response:	Ruling on
<b>Objected To:</b>	<b>Objection:</b>		<u>the</u>
			<b>Objection:</b>
The entire declaration is improper as it was filed and provided to counsel only in redacted form without indicating the identity of the declarant.	S.D. Fla. L.R. 5.4(f)(1)(A) ("A filer filing a redacted exhibit must contemporaneously serve a version of the exhibit upon all counsel that is either unredacted or that contains only those redactions authorized in connection with	The declaration is proper because Plaintiff "elected" to submit it in redacted form pursuant to Local Rule 5.4(b)(1), and thus Rule 5.4(f)(1)(A) is not applicable. See also Plaintiff's Motion For Leave to File Declarations Under Seal (ECF No. 48); Plaintiff's Notice Submitting Amended Certificate of Conferral for Dockets No. 44, 48 [ECF No. 65].	Objection:
	The entire declaration is improper as it was filed and provided to counsel only in redacted form without indicating the identity of the	The entire declaration is improper as it was filed and provided to counsel only in redacted form without indicating the identity of the declarant.  S.D. Fla. L.R.  5.4(f)(1)(A) ("A filer filing a redacted exhibit must contemporaneously serve a version of the exhibit upon all counsel that is either unredacted or that contains only those redactions authorized in	The entire declaration is proper because Plaintiff "elected" to submit it in redacted form pursuant to Local Rule 5.4(b)(1), and thus Rule 5.4(f)(1)(A) is not applicable. See also Plaintiff's Motion For Leave to File Declarations Under serve all counsel contemporaneously serve a version of the exhibit upon all counsel that declarant.  S.D. Fla. L.R.  5.4(f)(1)(A) ("A filer filing a redacted form pursuant to Local Rule 5.4(b)(1), and thus Rule 5.4(f)(1)(A) is not applicable. See also Plaintiff's Motion For Leave to File Declarations Under Seal (ECF No. 48); Plaintiff's Notice Submitting Amended Certificate of Conferral for Dockets No. 44, 48 [ECF No. 65].

	Т	T .		<del> </del>
		another party in		
		discovery.")		
36.	¶ 4 ("Destiny	Lacks foundation.	Personal Knowledge. Fed. R.	
	shared graphic	Fed. R.	Evid. 602	
	sexual	Evid. 602. Lacks	It has been established that this	
	content of	relevance. <i>Id</i> .	witness has personal knowledge	
	himself alone, as	R. 402. Declarant	of these events, and her	
	well as	is referring	communications with the	
	graphic content	to unrelated and	Defendant in which he shared	
	depicting	irrelevant	videos.	
	himself	videos, which do	Relevance Fed. R. Evid. 401,	
	and other	not feature	402	
	individuals	Plaintiff. Declarant	This is relevant because it goes	
	engaging in	fails to	to support the need for Witness	
	sexual acts.")	provide evidence	A's identity being filed under	
		that the	seal since she is another victim	
		Video of Plaintiff	of the Defendant. Defendant's	
		was ever	non-consensual sharing of these	
		shared with her.	videos of himself and the witness	
		Improper lay	is relevant because it goes to	
		opinion. <i>Id</i> . R. 701.	show that it is more likely than	
			not that the Defendant shared the	
			Video of Plaintiff with other	
			women because this is his pattern	
			of behavior. FRE 404(b). It also	
			shows lack of accident, common	
			scheme/plan and absence of	
			mistake by Defendant with	
			regards to sharing videos of this	
			nature without consent. Id.	
			Defendant's objection is also unfounded because Witness A	
			never stated she received the	
			Video of Plaintiff.	
			Lay Opinion Fed. R. Evid. 701	
			This is a proper opinion made	
			from what the witness rationally	
			perceived of the situation where	
			they do not use any scientific,	
			technical or specialized	
			knowledge which would fall	
			under 702 but merely provides	
			information that is helpful in	
			determining the material issues	
			in this case.	
			m uns casc.	

37.	¶ 5 ("The graphic sexual content that he shared with me were [sic] mostly digital videos, although there were some digital photographs as well.")	Lacks foundation. Fed. R. Evid. 602. Lacks relevance. <i>Id</i> . R. 402. Declarant is referring to unrelated and irrelevant videos, which do not feature Plaintiff. Declarant fails to provide evidence that the Video of Plaintiff was ever shared with her. Improper lay opinion. <i>Id</i> . R. 701.	Personal Knowledge. Fed. R. Evid. 602  It has been established that this witness has personal knowledge of these events, and their communications with the Defendant in which he shared videos with them. Relevance Fed. R. Evid. 401, 402  Defendant's non-consensual sharing of these videos with the witness is relevant because it goes to show that it is more likely than not that the Defendant shared the Video of Plaintiff because this is his pattern of behavior. FRE 404(b). It also shows lack of accident or mistake by Defendant with regards to sharing videos of this nature without consent. Id.  Lay Opinion Fed. R. Evid. 701  This is a proper opinion made from what the witness rationally perceived of the situation where they do not use any scientific, technical or specialized knowledge which would fall under 702 but merely provides information that is helpful in	
			determining the material issues	
			in this case.	
38.	¶ 8 ("I reached out to Jane Doe on Twitter, and informed her that I was concerned that Destiny had been sharing private sexual content	Inadmissible hearsay. Fed. R. Evid. 802. Lacks foundation and declarant lacks personal knowledge. <i>Id.</i> R. 602. Lacks relevance. <i>Id.</i> R. 402. Declarant is	Hearsay. Fed. R. Evid. 801,802, 803(3)  This statement is not hearsay because it is not being used to prove the truth of the matter asserted but merely to show that Plaintiff had received notice that the Defendant was sharing videos without the consent of those depicted in these videos.	
	without consent, stating, in part,	referring to	Additionally, could be used for truth of the matter asserted under Fed. R. Evid. 803(3) because it	

that 'back in	unrelated and	goes to the declarant's state of	
spring/summe	r, irrelevant	mind.	
he [Destiny] h	ad videos, which do	Personal Knowledge. Fed. R.	
sent me videos	s not feature	Evid. 602	
with other girl	s. Plaintiff. Declarant	It has been established that this	
I assumed he l	nad fails to	witness has personal knowledge	
consent for	provide evidence	of these events, and her	
these, but I	that the	communications with the in	
realized he lik	ely Video of Plaintiff	which he shared videos with her.	
didn't.'")	was ever	Relevance. Fed. R. Evid. 401,	
	shared with her.	402	
	Improper lay	It establishes necessary	
	opinion. <i>Id</i> . R. 701.	background. It shows lack of	
		accident and absence of mistake	
		on behalf of the Defendant with	
		regards to sharing videos of this	
		nature without consent, which is	
		a critical issue.	
		Lay Opinion Fed. R. Evid. 701	
		This is a proper opinion made	
		from what the witness rationally	
		perceived of the situation where	
		they do not use any scientific,	
		technical or specialized	
		knowledge which would fall	
		under 702 but merely provides	
		information that is helpful in	
		determining the material issues	
		in this case.	

## E. <u>DECLARATION OF WITNESS B [ECF No. 49-5]</u>

	<u>Material</u>	<b>Grounds for</b>	Response:	Ruling on
	<b>Objected To:</b>	<b>Objection:</b>		<u>the</u>
				<b>Objection:</b>
39.	The entire	S.D. Fla. L.R.	The declaration is proper because	
	declaration is	5.4(f)(1)(A) ("A	Plaintiff "elected" to submit it in	
	improper as	filer filing a	redacted form pursuant to Local	
	it was filed and	redacted exhibit	Rule 5.4(b)(1), and thus Rule	
	provided to	must	5.4(f)(1)(A) is not applicable. See	
	counsel	contemporaneously	also Plaintiff's Motion For Leave	
	only in redacted	serve	to File Declarations Under Seal	
	form without	a version of the	(ECF No. 48); Plaintiff's Notice	
	indicating the	exhibit upon	Submitting Amended Certificate	
	identity of the	all counsel that	of Conferral for Dockets No. 44,	
	declarant.	is either	48 [ECF No. 65].	

		unredacted or that contains only those redactions authorized in connection with producing a document to another party in discovery.")		
40.	¶ 3 ("Shortly thereafter we arranged to get together in [redacted] where we began a sexual relationship.")	Lacks relevance.  Id. R. 402.	Relevance. Fed. R. Evid. 401, 402 It establishes necessary background and is based on personal knowledge.	
41.	¶ 4 ("Thereafter, Destiny and I remained in contact we began sharing pictures/videos of a sexual nature with one another. Most of the videos that Destiny sent were of him alone, however, at least one of these videos included himself and his wife.")	Lacks foundation. Fed. R. Evid. 602. Lacks relevance. <i>Id</i> . R. 402. Declarant is referring to unrelated and irrelevant videos, which do not feature Plaintiff. Declarant fails to provide evidence that the Video of Plaintiff was ever shared with her. Improper lay opinion. <i>Id</i> . R. 701.	Personal Knowledge. Fed. R. Evid. 602  It has been established that this witness has personal knowledge of these events, and her communications with Defendant in which he shared videos with her.  Relevance. Fed. R. Evid. 401, 402  It establishes necessary background and shows absence of mistake, lack of accident, and common scheme/plan.  Lay Opinion Fed. R. Evid. 701  Not applicable there is no opinion being offered.	
38.2	¶ 5 ("The recordings were made	Lacks foundation. Fed. R. Evid. 602. Lacks relevance. <i>Id</i> .	Personal Knowledge. Fed. R. Evid. 602 It has been established that this witness has personal knowledge	

 $<sup>^2</sup>$  Defendant misnumbered objections. For purposes of responding we have kept the numbers the same as their original document.

	1.1	D 402 D 1	0.1	
	with my	R. 402. Declarant	of these events, and her	
	consent, and I	is referring	communications with Defendant.	
	authorized	to unrelated and	Relevance. Fed. R. Evid. 401,	
	Destiny to share	irrelevant	402	
	the recordings	videos, which do	It establishes necessary	
	with his wife,	not feature	background and shows absence of	
	exclusively. I	Plaintiff. Declarant	mistake, lack of accident, and	
	did not	fails to	common scheme/plan.	
	authorize	provide evidence	Lay Opinion Fed. R. Evid. 701	
	Destiny to share	that the	Not applicable there is no	
	these recordings	Video of Plaintiff	opinion being offered.	
	with anyone	was ever		
	else, or to	shared with her.		
	otherwise make	Improper lay		
	them public.")	opinion. <i>Id.</i> R. 701.		
39.	¶ 7 ("In late	Lacks foundation.	Personal Knowledge. Fed. R.	
3).	November	Fed. R.	Evid. 602	
	2024, I was	Evid. 602. Lacks	It has been established that this	
	harassed by	relevance. <i>Id</i> .	witness has personal knowledge	
	multiple	R. 402. Declarant	of these events, and her	
	individuals	is referring	communications with Defendant.	
	while on	to unrelated and	Relevance. Fed. R. Evid. 401,	
	Discord who	irrelevant	402	
	informed me	videos, which do	It establishes necessary	
	that a video	not feature	background and shows absence of	
	involving	Plaintiff. Declarant	mistake, lack of accident, and	
	Destiny and	fails to	common scheme/plan. It goes to	
	myself had	provide evidence	support the need for Witness B's	
	leaked online	that the	identity being filed under seal	
	I confronted	Video of Plaintiff	since she is another victim of the	
	Destiny who	was ever	Defendant. Defendant's non-	
	told me that he	shared with her.	consensual sharing of these videos	
	was sorry that	Improper lay	of himself and the witness is	
	any videos	opinion. <i>Id</i> . R. 701.	relevant because it goes to show	
	involving	Inadmissible	that it is more likely than not that	
	myself had	hearsay. Id. R.	the Defendant shared the Video of	
	leaked because	802.	Plaintiff because this is his pattern	
	of him. Destiny		of behavior. FRE 404(b). It also	
	also told me		shows lack of accident or mistake	
	that he		by Defendant with regards to	
	had only shared		sharing videos of this nature	
	this content		without consent. Id.	
	with a single		Lay Opinion Fed. R. Evid. 701	
	individual who		This is a proper opinion made	
	went by the		from what the witness rationally	
	went by the		perceived of the situation where	
			perceived of the situation where	

	T			
	screen name		they do not use any scientific,	
	'Rose.'")		technical or specialized	
			knowledge which would fall	
			under 702 but merely provides	
			information that is helpful in	
			determining the material issues in	
			this case.	
			Hearsay. Fed. R. Evid. 801,802	
			Defendant's admissions are not	
			hearsay pursuant to Fed. R. Evid.	
			801(d)(2)(A) as it is an admission	
			by a party opponent. As to the	
			statements of others, they are not	
			hearsay because they are not	
			being used to prove the truth of	
			the matter asserted.	
40.	¶ 8 ("I received	Lacks foundation.	Personal Knowledge. Fed. R.	
10.	messages from	Fed. R.	Evid. 602	
	multiple women	Evid. 602. Lacks	It has been established that this	
	on Discord and	relevance. <i>Id</i> .	witness has personal knowledge	
	Twitter who	R. 402. Declarant	of these events.	
	had been in	is referring	Relevance. Fed. R. Evid. 401,	
	contact	to unrelated and	402	
		irrelevant		
	with Destiny		It establishes necessary	
	and who told	videos, which do	background and shows absence of	
	me that	not feature	mistake, lack of accident, and	
	Destiny had	Plaintiff. Declarant	common scheme/plan. It goes to	
	shared with	fails to	support the need for Witness B's	
	them sexual	provide evidence	identity being filed under seal	
	content	that the	since she is another victim of the	
	depicting	Video of Plaintiff	Defendant. Defendant's non-	
	myself as well	was ever	consensual sharing of these videos	
	as others.")	shared with her.	of himself and the witness is	
		Improper lay	relevant because it goes to show	
		opinion. <i>Id</i> . R. 701.	that it is more likely than not that	
		Inadmissible	the Defendant shared the Video of	
		hearsay. Id. R.	Plaintiff because this is his pattern	
		802.	of behavior. FRE 404(b). It also	
			shows lack of accident or mistake	
			by Defendant with regards to	
			sharing videos of this nature	
			without consent. Id.	
			Hearsay. Fed. R. Evid. 801,802	
			Defendant's admissions are not	
			hearsay pursuant to Fed. R. Evid.	
			801(d)(2)(A) as it is an admission	
			001(4)(2)(11) at 11 to all adillission	

by a party opponent. As to the statements of others, they are not hearsay because they are not being used to prove the truth of
the matter asserted.

Dated: May 7, 2025.

Respectfully submitted,

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### **CERTIFICATE OF SERVICE**

I hereby certify that on May 7, 2025, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF filing system and copies were electronically sent to all counsel of records via the same.

By: <u>/s/Carlos A. Garcia Perez</u> Attorney